

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLOS LOPEZ,

Movant,

1:21-CV-2698 (PAE)

-against-

1:11-CR-1032-15 (PAE)

UNITED STATES OF AMERICA,

ORDER

Respondent.

PAUL A. ENGELMAYER, United States District Judge:

On March 18, 2021, Carlos Lopez submitted a § 2255 motion. On April 7, 2021, the Court issued an Order noting that Lopez's § 2255 motion appeared to be time-barred. Dkt. 3. The Court directed Lopez to show cause within 60 days why his § 2255 motion should not be denied as time-barred. The Court also stated that “[i]f Lopez fails to comply with this order, the Court will deny the § 2255 motion as time-barred.” *Id.* at 4. The Court has not since received any response from Lopez, either to show cause or otherwise. Accordingly, the Court denies Lopez's § 2255 motion as time-barred.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: June 14, 2021
New York, New York



PAUL A. ENGELMAYER
United States District Judge